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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/021,836	12/12/2001	Jeong Yong Kim	5882P002	3951
8791	7590	03/09/2006	EXAMINER	
BLAKELY SOKOLOFF TAYLOR & ZAFMAN 12400 WILSHIRE BOULEVARD SEVENTH FLOOR LOS ANGELES, CA 90025-1030			ORTIZ CRIADO, JORGE L	
			ART UNIT	PAPER NUMBER
			2656	

DATE MAILED: 03/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/021,836	Applicant(s) KIM ET AL.	
	Examiner Jorge L. Ortiz-Criado	Art Unit 2656	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) 4-14 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3 rejected under 35 U.S.C. 102(b) as being anticipated by Ueda JP 07-210903.

Regarding claim 1, Ueda discloses a data storage system “capable of” recording/reading optical data on a disk media, comprising:

multiple probe “column” arranged in a row, (see paragraph [0012]-[0018] Figures 1,2,3,4)

wherein a region on which data can be recorded on the disk media, which is divided into small tracks and large tracks (see Figure 1 and 7),

said probe column between the small tracks and the large tracks is moved by a dual driving control device in which high resolution movement and low resolution movement are integrated (see paragraph [0013]-[0014]; Figure 1, ref # 6),

said dual driving control device have a high resolution transferring device to move between said small tracks and a low resolution transferring device to move between said large

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tracks (see paragraph [0013]-[0014]; Figure 1, ref # 6, 11) (Ueda's driving control device performs high resolution transferring and low resolution transferring movements integrated, inherently the device contains high and low devices integrated)

Regarding claim 2, Ueda discloses wherein said probe column has a plurality of probes arranged in a row at one end within a probe column support (see paragraph [0012]-[0015] figures 1,2,3,4)

Regarding claim 3, Ueda discloses wherein said probe column is moved in a radial direction on the disk while the disk is rotated and records/reads in a spiral shape or a concentric circle shape (see paragraph [0012] Figure 1 and 7-8)

### ***Response to Arguments***

2. Applicant's arguments filed 01/27/2006 have been fully considered but they are not persuasive.

Applicants argue that Ueda et al. does not teach or suggest "a dual driving control device in which high resolution transferring device and "a different" lower resolution transferring device".

It is noted that the features of "a different" lower resolution transferring device is not recited in the rejected claim(s). The claim requires that the dual control device contains integrated the high resolution transferring device and a low resolution transferring device. The claims does not requires that the two devices are different nor being performed by two different

devices. It appears that the dual driving control device being integrated as claimed, is the same driving device comprising two transferring movement functions.

Given the claims the broadest reasonable interpretation, the dual driving control device contains the high resolution transferring device and lower resolution transferring device integrated, as claimed. Ueda et al. discloses where the control device #6 performs of the probe column movement within “large tracks” groups of tracks that correspond to each probe “low resolution movement” and movement of each probe within one track of the group of tracks “small tracks” “high resolution movement”, which the two control movement are integrated and performed by the control driving device #6, with the control circuit 11). The control circuit 11 performs such control to the driving element 6 to obtain such high or low resolution movement. Therefore, Ueda et al.’s device inherently contains high and low devices integrated.

Furthermore, such “different” lower resolution transferring device is well known in the art and would be evidenced by Applicant’s own admission of prior art, for example in page 7, Applicants admits that “The low resolution transducer uses a driving device of a conventional optical data storage system such as a voice coil”.

And, is also evidenced by U.S. Patent No. 6,062,251 reference made of record, which discloses a dual control device having integrated a high resolution device of a piezoelectric device to provide fine (i.e. high resolution movement) movement and a “different” low resolution device of a voice coil to produce a coarse (i.e. low resolution) movement between the tracks of a rotating disk.


***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jorge L. Ortiz-Criado whose telephone number is (571) 272-7624. The examiner can normally be reached on Mon.-Thu.(8:30 am - 6:00 pm),Alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrea L. Wellington can be reached on (571) 272-4483. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**WAYNE YOUNG**  
**SUPERVISORY PATENT EXAMINER**